

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS
LIABILITY LITIGATION

MDL No. 2419
Dkt. No. 1:13-md-2419 (FDS)

THIS DOCUMENT RELATES TO:

All Actions

**JOINT MOTION FOR ORDER TO SET BRIEFING SCHEDULE AND
REQUEST FOR ORAL ARGUMENT**

The Plaintiffs' Steering Committee (the "PSC) and counsel for the following parties: Premier Orthopaedic and Sports Medicine Associates of Southern New Jersey, LLC, trading as Premier Orthopaedic Associates, Premier Orthopaedic Associates Surgical Center, LLC, and Kimberley Yvette Smith, M.D., a/k/a Kimberley Yvette Smith-Martin, M.D. (collectively, the "Premier Defendants"), conferred in order to establish a briefing schedule for the Premier Defendants' Rule 12(b)(6) Motion to Dismiss (Dkt. No. 831). As a result, the parties have agreed to the following briefing schedule:

1. The PSC will file its opposition to the Motion to Dismiss filed by the Premier Defendants no later than **March 7, 2014**;
2. The Premier Defendants will file a reply to the Motion to Dismiss no later than **March 21, 2014**.

The parties respectfully request that the Court enter the attached order to formalize the above-described briefing schedule.

In addition, pursuant to Local Rule 7.1(d), the parties request that the Court reserve a date for oral argument of the above-referenced Motion to Dismiss.

Dated: February 7, 2014

Respectfully submitted,

/s/ Jay J. Blumberg

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SO ORDERED.

Dated: _____

**HONORABLE F. DENNIS SAYLOR, IV
U.S. DISTRICT COURT JUDGE**

CERTIFICATE OF SERVICE

I, Steven D. Resnick, hereby certify that I caused a copy of the above Joint Motion for Order to Set Briefing Schedule and Request for Oral Argument to be filed electronically via the Court's electronic filing system. Those attorneys who are registered with the Court's electronic filing system may access these filings through the Court's system, and notice of these filings will be sent to these parties by operation of the Court's electronic filing system.

Dated: February 7, 2014

/s/ Steven D. Resnick
Steven D. Resnick, Esquire